

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Shelly Anne Winner,)	
)	Case No. 1:14-cr-003-1
Defendant.)	

The court released defendant subject to a number of conditions. One of these conditions was that she was to reside at a residential facility. The court later amended this condition in an order dated April 11, 2014, to permit her to participate in a residential treatment program at Teen Challenge in Mandan, North Dakota.

On September 16, 2014, defendant filed a motion requesting an additional amendment to her release conditions. Specifically, she asks for permission to temporarily leave Teen Challenge and be released to the custody of her mother, Laurie Bowhay, for approximately two weeks commencing from the date on which she gives birth to her child. On September 18, 2014, the Government filed a response advising that it had no objection to defendant's motion provided that the supervising Pretrial Services Officer could confirm the suitability of defendant's proposed living arrangements.

On September 23, 2014, the court convened a status conference with the parties to discuss defendant's motion. At the conference the parties advised the court that the supervising Pretrial Services Officer had deemed defendant's temporary living arrangements acceptable and that Teen Challenge was issuing a "pass" to defendant that would permit her to temporarily leave treatment after her baby was born.

Accordingly, the court **GRANTS** defendant's motion (Docket No. 113) and **ORDERS** that her release conditions be amended as follows:

- (1) Upon giving birth to her child, defendant shall be temporarily released to the third party custody of her mother, Lauri Bowhay, who agrees (1) to supervise the defendant in accordance with all conditions of release, (2) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (3) to notify the Pretrial Services Officer immediately in the event the defendant violates any conditions of release or disappears.
- (2) While in her mother's custody, defendant shall reside at the address (read: hotel) she has provided to the Pretrial Services Officer and shall not change this place of temporary residence without prior approval of the Pretrial Services Officer.
- (3) While in her mother's custody, defendant shall continue to comply with all of Teen Challenge's rules and regulations.
- (4) Defendant shall immediately return to Teen Challenge two week from the date on which her child is born or once her "pass" from Teen Challenge expires.

All of the other conditions of release imposed by the court its April 11, 2014, order (Docket No. 59) remain in effect.

Dated this 23rd day of September, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court